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CANONIZATION: A GLIMPSE THROUGH THE CENTURIES AND CANONICAL LEGISLATIONS

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1 INTRODUCTION

Mother of Saints, the Church has always preserved their memory, offering the faithful examples of holiness in the *sequela Christi*.[1] Holy Mother Church, according to the wishes and initiatives of the people, continues to elevate to the honour of the altar those who stood apart outstandingly in life by way of three specific spheres of life: 1) heroic practices of virtues and holiness in life above all for charity (*confessores fidei*); 2) martyrdom due to their supreme love for Christ (*martyrium*); and 3) through the offering of their life for charity (*oblatio vitae*).[2] The celebration of those recognized as saints is an integral part of the Church's liturgical life giving a clarion call to each and every one of us to become saints as mentioned in the opening lines of the Apostolic Exhortation

[1] Congregation of the Causes of Saints, Instruction for Conducting Diocesan or Eparchial Enquiry in the Causes of Saints, *Sanctorum* Mater (17 May 2007), in *AAS* 99 (2007): 465; cf. Vatican II, Dogmatic Constitution on the Church, *Lumen Gentium*, nos. 50-51. *Sequela Christi* means following Christ.

[2] The offering of life as a new *iter* for the beatification or canonization was introduced by the Holy Father Pope Francis in 2017 through the Apostolic Letter *Maiorem hac dilectionem*; cf. Francis, Apostolic Letter *Maiorem hac dilectionem* (11 July 2017), in *AAS* 109 (2017): 831-834. For the translation of this document in English cf. *Studies in Church Law* 12 (2017): 11-16.

Gaudete et exultate.[3] If we conserve our communion with God, obtained through baptism, we are really saints and the holiness is none other than our union with God. The more intimate this union is, the greater the degree of holiness of the person. When someone excels in this holiness manifesting through any of the above mentioned three ways, the Church recognizes it through a very meticulous process by way of beatification or canonization.

Two thousand years of history of Catholicism has seen the process for the proclamation of saints develop significantly at various eras. It has its own long historical evolution, gradually developed at the various important epochs of life in the Church in various contexts and this article has as its goal the shedding of light on the evolution of the process for the canonization of Saints until now, obviously highlighting the various norms, which have emanated along the life of the Church. The article attempts to achieve this scope after briefly analyzing the concept of canonization and its need for Catholics. However, it will not delve into the canonical procedure as such for the beatification or canonization.

2 CANONIZATION AND ITS NEED

The etymology of the word "canonization" reveals that this word emanates from the Latin verb *canonizare* which means "to place officially in the canon or calendar or catalogue of the saints."[4] The Greek equivalent of the English term is *Kanon* which means the official or normative catalogue; to enter a person's name in such a catalogue is to canonize.[5] Thus, to canonize literally means to include in the list of canons. In other words, it means an inclusion of a holy man or woman,

[3] Francis, Apostolic Exhortation *Gaudete et exultate*, no. 1.

[4] *New Webster's Dictionary of the English Language*, College Edition (Delhi: Surjeet Publications, 1979), 230.

[5] G. Nedungatt, "Canonization," in *The Passion Flower* 30 (1984): 14.

canonically approved *in facto* and *in iure* by a religious authority in the wake of a meticulous and rigorous judicial procedure, in the official list of the saints of Holy Mother Church. Theologically speaking, canonization is the solemn act by which the Pope, with definitive sentence, inscribes in the catalogue of saints a person who has previously been beatified. By this act he declares that the person placed on the altar now reigns in eternal glory and decrees that the universal Church show him honour due to a saint.[6]

The saints do not need to be declared that they are saints. The process of beatification or canonization does not add any merit to the 'servant of God'[7] who already shares in the glory of God. It is the faithful who need the Church to propose new models or holiness, capable of helping them to interpret

[6] G. Löw, "Canonizzazione nella storia," in *Enciclopedia Cattolica*, Vol. 3 (Florence: Casa Editrice G.C. Sansoni, 1949): 596.

[7] In official Church procedures there are four steps to Sainthood: 1) Servant of God; 2) Venerable; 3) Beatification / Blessed; 4) Canonization.

First, the candidate's local bishop investigates by gathering information from witnesses about the candidate's life and any writings which he or she might have written. If the bishop finds them to be worthy of being a saint, then he submits the information that he gathered to the Congregation of the Causes of Saints. The Congregation of the Causes of Saints can choose to reject the application or accept it and begin their own investigation of the person's life. If the application is accepted, the candidate may be called Servant of God.

Secondly, the Servant of God becomes Venerable when he or she is recognized formally by the Pope as having lived a heroically virtuous life or offered their life *propter caritatem* (*oblatio vitae*) or *in odium fidei* (martyrdom).

Thirdly, one miracle acquired through the venerable's intercession is required in addition to recognition of heroic virtue or offering of life in order to be beatified and recognized with the title 'Blessed'. The title 'Blessed' accords to the beatified a limited liturgical veneration in the local church.

Fourthly, canonization requires a second miracle after beatification. By way of canonization one is declared a Saint who is formally canonized by the Church as sharing eternal life with God, and therefore offered universally for public veneration and imitation.

(For the causes of martyrdom there is an exception. A miracle is not required prior to a martyr's beatification. When the martyr becomes venerable, he or she is also beatified and receives the title 'Blessed'. But one miracle is required for the canonization of the martyr after beatification).

the Gospel message in any condition of life. Beatification or canonization are institutions given for our benefit and well-being as we are still making our terrestrial journey and they provide us with wonderful and diverse examples of holiness. The Catholic Church on earth or the Church Militant which is on pilgrimage towards the triumphant Church in heavenly glory requires examples set by various saints in order to realize the purpose of its journey. A servant of God is all the more canonizable, the more attractive and stimulating the message he or she offers to the modern world and the greater his reputation for holiness, so that the faithful feel encouraged to follow his or her example. The flourishing of the causes of canonization in our day demonstrates, on the one hand, the vitality of the Holy Mother Church, and on the other, the thirst for holiness in the faithful, who admire and venerate the heroes of holiness and seek new models for life[8] in order to be inspired in midst of the challenges of the world.

3 CULT OF MARTYRS (FROM EARLY CHRISTIANITY TO 5TH CENTURY)

Martyrdom was the primordial experience of the Church of the first three centuries, which gave rise to what is called the cult or the veneration of the martyrs. The cult of martyrs began to blossom spontaneously as the fruit of enthusiasm and veneration of faithful towards those who were considered heroes of the persecuted Christians in the early Christian epoch where Christianity was not considered as a State religion. Many voluntarily suffered death as the punishment for witnessing to and refusing to renounce their staunch faith. The Greek word for giving witness is *marturein*, which is translated in English as the word "martyr". A martyr is the one who gives his life and sheds his or her blood by a violent death instantly or after being inflicted by various

[8] *The Catechism of the Catholic Church*, no. 828.

corporal sufferings and pain (material martyrdom); accepting them voluntarily for the love of God (formal martyrdom *ex parte victimae*); finally persecution meted out by a persecutor who acts because of his hatred of the faith (*odium fidei*) or a particular virtue (formal martyrdom *ex parte persecutoris*).[9] Three elements[10] are common to this early experience: 1) from the moral standpoint, the martyr was considered an object of veneration by the faithful because he or she was a model for their imitation; 2) from the point of view of piety, the martyr was invoked as an intercessor because he or she was now living in the presence of God; 3) from the liturgical perspective, the memory of the martyr was celebrated by the faithful in a liturgical manner on *dies natalis*, i.e., on the day of their birth in heaven.[11]

There were also abuses related to this practice of the cult of martyrs since many were showing homage to the heretic and schismatic who had died. The bishops were very vigilant and did not always permit such cults in order to avoid abuses, like paying homage to the heretic and schismatic martyrs.[12]

[9] E. Spedicato, *Le cause di canonizzazione alla luce del diritto processuale. Analisi testuale e contestuale del can. 1403* (Roma: Gregorian Biblical Press, 2017), 59.

[10] R.J. Sarno, "Canonization of Saints," in *New Catholic Encyclopedia Supplement 2010*, Vol. I, (New York: Gale Cengage Company, 2010): 193.

[11] V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo Studium* (Città del Vaticano: Libreria Editrice Vaticana, 2018[4]), 181: 'Dies natalis' in Latin literally means 'day of birth'. Here, in this context it refers to the anniversary day of the martyrdom as the people believed that the one who is martyred is born in heaven on the day of martyrdom.

[12] R. Rodrigo, *Manuale delle cause di beatificazione e canonizzazione* (Roma: Institutum Historicum Augustinianorum Recollectorum, 2004[3]), 15; cf. H. Delehaye, *Sanctus-Essai sur le culte des saints dans l'Antiquité* (Bruxelles: Société des Bollandistes, 1927), 165; E. Spedicato, *Le cause di canonizzazione alla luce del diritto processuale. Analisi testuale e contestuale del can. 1403*, 60-61: There were many abuses regarding the cult of martyrs. During the time of persecution, many renounced Christ and rendered public cult to the idols, offering sacrifices and incense, renounced Christ in the tribunals by means of written document and many, gripped by panic, voluntarily went in exile as they did not like to renounce their faith in Christ. Moreover, many volunteered to die merely because they considered death as means for being elevated to the honour of the altar.

The pride of having a martyr within one's community, in fact, led to the spread of abuse and fanatic acts: some voluntarily sought death in order to be elevated to the honor of the altars. The awareness of these attitudes pushed the authorities to issue legislation on the subject. The council of Elvira (300) ruled that whoever found death on the occasion of the destruction of the statues of idols would not be received in the number of martyrs; many people who defended the pagan teaching and gave their life for that would not be considered as martyrs;[13] a similar declaration was taken up by the council of Carthage (348), which warns against giving the title of martyr to anyone who does not have true merit.[14]

The particular Churches maintained a type of register of proper martyrs where they noted the name, date and place of the burial of the martyr. The calendar for the celebration of the anniversary of martyrdom was born in this way. The particular Churches communicated among themselves the names of the proper martyrs and extended in this way the cult of the same to outside the place of the martyrdom. In 313 AD, the experience of the early Church changed radically. The emperor Constantine I signed the Edict of Milan and proclaimed Christianity as the State religion. On the heels of its newfound freedom, the cult of martyrs on *dies natalis* were celebrated solemnly by the faithful and the clergy and as part of the celebration, they read *passiones* or *acta martyrum*, organized pilgrimages to their tombs and celebrated Eucharist in their honour. Even if there was no meticulous process as we have today, there was always a critical examination of

Unfortunately, many venerated these as martyrs. Therefore, bishops convoking the particular councils admonished these abuses and prescribed not to offer the title of martyr to them.

[13] A. Mitri, *De figura iuridica postulatoris in causis Beatificationis et Canonizationis* (Roma : Desclée, 1962), 25.

[14] J.D. Mansi, *Sacrorum Conciliorum nova et amplissima collectio* (Venetiis, 1759-1798, III), 971.

the acts of the martyrs and judgement by the bishop of the local Church. The official authorization of the cult, therefore, depended on the judgement of the local bishop. In this period, the martyrs were mainly those who had to face persecution and renounce their life by shedding blood for the sake of their faith in Christ, always subject to the discreet judgement of the local bishop.

4 EPISCOPAL CANONIZATION (FROM 5TH TO 10TH CENTURY) – CULT OF CONFESSORS

When the time of persecution was over, there was seldom anyone who had the possibility of shedding their blood for Christ and the faith. Therefore, public cult to those who were distinctly known for their firmness in defending the faith, i.e., to the holy confessors of faith (*confessores fidei*) who suffered the persecutions and survived the same began to take place. Therefore, in this period the martyrdom was attributed to those, who in the spirit of obedience, penitence and humility, exercised every form of Christian virtues and they were called confessors without blood (*sine sanguine*).[15] When it concerns virtues, it is not any virtue related to politics or ethics; rather it pertains to the Christian virtues.[16] Indeed, if the essence and glory of the martyr consists in being a witness of Christ, even a life lived according to the precepts of the Gospel is a perfect witness, so that whoever confesses Christ with words and deeds must be considered a true witness and therefore a true martyr. St Cyprian beautifully explains this development in the following words:

> The eternal reward is not only given to those who are imprisoned and killed for the gospel, but also to those

[15] V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo Studium*, 166.

[16] A. Casieri, *La perfezione cristiana in Benedetto XIV con particolare riferimento all'età giovanile* (Città del Vaticano: Libreria Editrice Vaticana, 1979), 64-65.

who have not suffered the passion; a Christian, who has kept the faith intact and has left everything to follow Christ, is honored by Christ himself as a martyr.[17]

When the number of heresies surged in the early period of the Church, there were many who defended the faith and the doctrines. Gradually, they began to inscribe in the calendars not only the martyrs who shed blood for faith, but also people very famous for their apostolic works, for their writings or for their virtuous life and the miracles worked by them. Therefore, in this period they were not treating only the fact of martyrdom; but rather of the exercise of their virtues during the whole life of those who were called holy confessors. St Basil writes in one of his panegyrics to his Christian faithful about the 40 martyrs of Sebastia: "you can also be martyrs of the will, without persecution, without fire, without sword and with the same merits of martyrdom."[18]

The process of judging the confessor in order to be inscribed in the calendar differed from the previous period where the bishop of the local Church authorized the public cult according to his critical and discreet judgement. Therefore, before elevating someone as a saint, a biography and a report of miracles attributed to the confessor was read in front of the bishop or before the diocesan or provincial

[17] Academiae Litterarum Caesareae, *Corpus Scriptorum Ecclesiasticorum Latinorum*, III (Vindo bonae Geroldi filivm bibliopolam academiae, 1868), 345: "Nec solos anima duersos et interfectos diuinae pollicitationis manent praemia, sedetiam si passio fidelibus desit, fidestamen integra adque inuicta perstiterit et contemptisacre lictis suis omnibus Christum se sequi christianus ostenderit, ipse quoque a Christo inter martyr as honoratur pollicente ipso et dicente." Cf. https://archive.org/stream/corpusscriptoru16wissgoog#page/n7/mode/2up; V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo Studium*, 175.

[18] St Basil, *Homilia in sanctos quadraginta martyres*, Ch.19, in *Patrologiæ Cursus Completus, Series Graeca*, Vol. 31, ed. J.P. Migne (Parisiis: Bibliothecae Cleri Universae, 1857), col. 507: "Lauda sincere eum qui martyrium pertulit, ut efficiare martyr voluntate, aedemum sine persecutione, sine igne, sine verberibus eam dematque illi mercedem consequare."

synod. But there was only investigation on the reputation or the fame of the holiness confirmed by the miracles attributed to the servant of God. *Vox populi*, the pilgrimages to the grave, the reputation of the miracles were sufficient enough for the elevation of the mortal remains to the public cult and this was, in a later period, approved and decreed by the bishop or the diocesan synod.[19] After finding the mortal remains (*inventio*) and when they carried out the elevation and transferral (*elevatio and translatio*)[20] of them in order to officially begin the cult, i.e., for the canonization, the Pope also was invited to participate only to give prominence to this ceremony. The Pope intervened not due to his authority, but only to render the occasion more solemn. It was the local bishop who decided the holiness of the person and declared him or her as saint through elevation and transferral of the mortal remains so that the faithful could begin to venerate. Therefore, the canonization or proclamation of an individual as a saint was accomplished by the *elevatio* and *translatio corporis* and this was called the episcopal canonization.[21]

In this period, the essential elements of the proceeding for the canonization were the following: 1) existence of the fame or reputation for holiness, miracles or of the martyrdom; 2) presentation to the bishops or diocesan/provincial synod of

[19] E. Piacentini, *Il martirio nelle cause dei santi* (Città del Vaticano: Libreria Editrice Vaticana, 1979), 110.

[20] *Elevatio* is the lifting or raising of the body from the tomb, i.e., more properly exhumation, which consisted in extracting the body of the saint from the original tomb to give it a more honorable burial. The *elevatio* was followed by the *translatio*, i.e., the transferral and new deposition of the saint's body in front of or next to an altar, or even below or above the altar, which took the name of the saint deposited and venerated there. To know more about the practice of *inventio*, *elevatio* and *translatio* cf. A. Amore, "La canonizzazione vescovile," in *Antonianum* 52 (1980): 425-438.

[21] V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo* Studium, 190. Cf. E. Spedicato, *Le cause di canonizzazione alla luce del diritto processuale*. Analisi testuale e contestuale del can. 1403, 64.

the biography of the servant of God, with particular emphasis on the miracles attributed to him; and 3) formal approval of the cult by the bishop *per decretum* and the bishops living in the vicinity had to take part. Gradually they began to invite the Pope during the ceremony of *elevatio* and *translatio corporis* in view of making the ceremony more solemn. During this occasion, a church or altar was dedicated to the saint and the liturgical feast was established. The liturgical feast was usually marked on death anniversary of the servant of God. All these were considered to be canonization. Until this period, the Pope had no say in the process canonization. His participation added only solemnity to the occasion without changing the nature of the canonization which was considered as the competence of the local Church and the bishop. One of those saints of episcopal canonization was St Martin of Tours who died in 397 and later through *elevatio* and *translatio corporis* he was proclaimed saint by bishop Perpetual in 460.[22]

5 PAPAL CANONIZATION

The Popes' beginning to reserve to themselves the competence to canonize the servant of God is the implication of Papal Canonization. The evolution of Papal canonization can be divided into three periods: 1) The First Period: From the 10th Century to 1234 (Decretals of Gregory IX); 2) The Second Period: From 1234 to 1588; and 3) The Third Period: From 1588 to pre-1917 *CIC*.

5.1 The First Period: From 10thCentury to 1234 (Decretals of the Pope Gregory IX)

From the beginning of the10th Century, with the spread of the practice of inviting the Pope to local canonizations, the opinion was created among canonists that only the Pope can

[22] V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo* Studium, 190.

canonize as there were many abuses taking place. Convinced of this, Pope Alexander III (1159-1181), in his letter *Audivimus* of 6 July 1171 directed to Knut I, king of Sweden and to the people, reprimanded the Swedes for venerating a man, named Erik as a martyr, despite having been assassinated in a state of drunkenness in a barroom brawl by blows with a stick by two of his companions who were also drunk. The Pope wrote: "even if there are miracles, it is not permitted to consider anyone a saint and to venerate them without the authorization of the Church of Rome."[23] This letter *Audivimus* was included in the official edition of the Decretals of Gregory IX (1234) by St Raymond of Peñafort and thus by virtue of insertion it became universal law in 1234 during the period of Pope Innocent IV.[24] Therefore, the formal year which marks the beginning of the reserving the right to canonize the servant of God to the Pope is 1234 when the decretals of Gregory IX was published.[25]

[23] *Decretalia* X. lib. III, tit. 45, cap. 1: "Etiam si per eummiracula plurima fierent, non liceret vobisip sum pro sancto absque auctoritate Romanae ecclesiae publice venerari." X, in this footnote, refers to the Decretals of Gregory IX which forms a part of the *Corpus Iuris Canonici*.

[24] *Ibid*: "Sine Papae licentia non licet aliquem venerari pro sancto. *Audivimus*, quod quidem inter vossint, qui, diabolica fraude decepti, hominem quendam in potatione et ebrietate occisum quasi sanctum more infidelium venerantur, quum vix pro talibus in ebrietatibus peremptis Ecclesia permittat orare. Dicitenim Apostolus, quod 'ebriosi homines regnum Dei non possidebunt.' Illum ergo hominem non praesumatis de cetero colere, quum, etiam si per eum miracula plurima fierent, non liceret pro sancto absque auctoritate Romanae Ecclesiae eum publice venerari"; "We have heard that some of you, deceived by diabolical fraud, venerate, as pagans do, a man killed in a state of drunkenness as if he were a saint, when the Church barely allows prayers to be prayed to those killed in this condition. In fact, apostle Paul says that 'the drunkards will not possess the kingdom of God'. So do not venerate such a person, because, even if many miracles occurred through his intercession, it would not be lawful for you to venerate him as a saint without the authorization of the Roman Church" (English transl. by the author); cf. Alexander III, *Epistolae et Privilegia*, Book I, Ch. 1447, in *Patrologiæ Cursus Completus, Series Latina*, eds. J.P. Migne, Vol. 200 (Parisiis: Bibliothecae Cleri Universae, 1855), col. 1261.

[25] H. Misztal, *Le cause di canonizzazione. Storia e procedura* (Città del Vaticano: Libreria Editrice Vaticana, 2005), 138-139.

Pope Alexander in 1173 canonized a servant of God using the phrase "I have canonized that great saint." He was the first Pope to use the word "canonize" in a Pontifical document in order to indicate the inscription of the same servant of God in the register of Saints. Pope Innocent III (1198-1216) was the first Pope to insert in the bull of canonization a brief description of the life and miracles, certifying its composition on the basis of sworn testimony.[26] Pope Innocent IV (1243-1254) reserved the canonization only to the Pope, stipulating, "Only the Pope can canonize" (*Solus Papa potest canonizare*) because the saint is proposed to the veneration of all faithful and only the Pope has authority over all the faithful.[27] However, in spite of this law, the bishops continued unabatedly till 1588 to proclaim new saints or permitted the public cult to those who died in holiness.

5.2 The Second Period: From 1234 to 1588

During the first three centuries the evident fact of martyrdom was sufficient to venerate someone as martyr for Christ. With the passage of time, prior investigation and reading the biography and the record of the miracles (*liber miraculorum*) in front of the local bishop or diocesan/provincial synod was considered necessary on the fact of martyrdom or the virtuous life and miracles of a confessor; this investigation, which gradually became more rigid and juridical, ended up eventually as a proper process in the middle ages. Then later the difference between beatification and canonization began to develop.

[26] V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo Studium*, 201.

[27] Innocent IV, *In quinque libros Decretalium commentaria* (Venezia: Carol. Pesnot, 1578), 188: "Solus autem papa potest canonizare, quod ex eo apparet, quia cum constituatur omnibus fidelibus adorandum, et nullus omnibus praesit nisi papa, apparet quod solus papa hoc potest."

With the bull *Rex pacificus* of 5 September 1234 in order to promulgate the *Decretals of Gregory IX*, the Papal canonization received a new importance, and it became the only form of canonization. Only the Pope can canonize. It is during this period that St Francis of Assisi was canonized. It was important for two reasons: 1) there was a process regarding his life and miracles, and it was the first one whose acts are conserved *quasi* integrally; 2) It was the first canonization where the Pope himself celebrated the holy mass and pronounced the formula of canonization. St Antony of Padova and St Elisabeth of Hungary were also canonized during the papacy of Gregory IX. During the canonization, the annual feast of the saint was fixed, the *Te Deum* was sung and plenary indulgences were conceded.[28]

Later, the Popes conducted an investigation on the life and miracles of those who had to be canonized. At times, cardinals were delegated to conduct this investigation. The witnesses were heard under oath in the rigorous judicial investigation *de fide et excellentia vitae et miraculis*. The cases were instructed by a pontifical commissary or delegates of the Holy See. The acts, after being closed and sealed, were submitted to the Pontifical Curia. The acts of the process were entrusted to the pontifical chaplains and to a cardinal who would refer the result of their study to the Pope. Later, the acts were entrusted to three cardinals and from the 14th century to the Rotal auditors.[29] In 1588, Pope Sixtus V, by his Apostolic Constitution *Immensa aeterni Dei*, created fifteen Congregations among which the Congregation for Sacred Rites and Ceremonies (*Congregatio pro sacris ritibus et caeremoniis*) took the fifth place in order

[28] V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo Studium*, 206.

[29] For a detailed study cf. E. Spedicato, *Le cause di canonizzazione alla luce del diritto processuale. Analisi testuale e contestuale del can. 1403*, 66-67.

to, besides other cases, oversee the Causes of Saints.[30] In fact, the Apostolic Constitution neither specified the duties and rights of each Congregation nor gave any instructions about its organization.[31]

5.3 The Third Period: From 1588 to Pre-*CIC* 1917

It was evident that at the beginning of the new Congregation there was a need to clarify its own competence, to reflect on the operative modalities followed up until that moment, to create a stable practice by outlining a renewed procedure, in other words to find ways of solutions, norms, generic and specific applications in such an important subject. This period of experimentation, orientation and stabilization lasted from 1588 until the pontificate of Urban VIII (1623-1644) in whose period this Congregation brought out various criteria for the instruction of the process and brought perfection to the method of study of the cases.

Though in the earlier period, the popes had reserved the right of canonization to themselves, there were practices of bishops recognizing some people as holy and saintly which gave rise to public cult in their local Churches. In order to prevent this, major reformation took place during the period of Pope Urban VIII. First, Pope Urban VIII with the two decrees, which he had published through the Congregation of the Inquisition, put an end to the abuse of venerating servants of God not yet canonized by the Pope. The existence of a new cult that was not immemorial constituted an impediment to

[30] Cf. Sixtus V, Apostolic Constitution *Immensa aeterni Dei* (22 January 1588), in *Bullarium Romanum ed Taurinensis*, Vol. 8 (Augustae Taurinorum: Seb-Franco et Henrico Dalmazzo Editionibus 1863), 985-999; cf. E. Apeciti, "L'evoluzione storica delle procedure ecclesiastiche di canonizzazione," in *La scuola cattolica* 119 (1991): 250-278.

[31] A.M. Stickler, "Le riforme della Curia nella storia della Chiesa," in P.A. Bonnet, C. Gullo (eds), *La Curia Romana nella Cost. Ap. 'Pastor bonus'* (Città del Vaticano: Libreria Editrice Vaticana, 1990), 1-6.

the introduction of the cause of beatification. He forbade not only any form of public veneration, but also the publication of books of miracles or revelations attributed to a supposed saint, until the person was beatified or canonized by a solemn papal declaration.[32]

The famous Apostolic Constitution *Caelestis Hierusalem cives*[33] (5 July 1634) confirmed these two decrees and added new norms, i.e., the need of instruction of the case to find out if there was an absence of the illegitimate cult in order to canonize someone. The new cult which was not immemorial, or which had not started 100 years before the publication of this brief Apostolic Constitution *Caelestis Hierusalem cives* (1634), i.e., before 1534 was considered illegitimate. Two types of causes were established:[34]

a) "*per viam non cultus*," (the servant of God was not already an object of public cult when the cause began). Therefore, besides his/her virtues and miracles, the absence of public cult of the servant of God had to be proved. This is an ordinary process.

b) "*per viam cultus*," (the servant of God was already an object of public cult and therefore it was also called ancient cause). Therefore, it was necessary to demonstrate that the cult shown to the servant of God was immemorial or at least 100 years before 1634, i.e., 1534. They were defined as *casus exceptus*. This is an extraordinary process. This is still in practice.

[32] E. Spedicato, Le cause di canonizzazione alla luce del diritto processuale. Analisi testuale e contestuale del can. 1403, 71.

[33] Urban VIII, Apostolic Constitution *Caelestis Hierusalem cives* (5 July 1634), in *CIC Fontes*, ed.P. Gasparri, Vol. 1 (Romae: Typis Polyglottis Vaticanis, 1923), 402-406.

[34] I. Noval, *Commentarium Codicis Iuris Canonici. Liber IV* (Romae: Marietti, 1932), 356-369; cf. F. Veraja, *Commento alla nuova legislazione per le cause dei Santi* (Città del Vaticano: Libreria Editrice Vaticana, 1983), 222 ff.

The process concerning non-cult (*per viam non cultus*) was conducted for the ordinary procedure of beatification, which presupposed the absence of cult shown to the one who died after 1634. In any particular case, where public cult was shown to a servant of God against the prescription of Urban VIII, i.e., to anyone who died after the year 1634, the cause was not permitted to proceed until all signs of public veneration had been removed in the judgement of the Holy See.[35] Later many decrees established diverse norms for the admission of the cause to the Congregations of Sacred Rites for the instruction of the cases and for the examination in the same Congregation in order to find if there are elements contrary to faith and good conduct.

The merit of Pope Benedict XIV (1740-1758) was the systematization of all the legislations that had emerged until his time in his masterly treatise of five volumes, *De servorum Dei beatificatione et beatorum canonizatione*. This served as the rule of the Sacred Congregation of Rites for almost two centuries. In 1741, in the Apostolic Constitution *Ad sepulcra Apostolorum* he prescribed that the beatification and canonization have to be celebrated only in St Peter's Basilica. He also prescribed that for the cases *per viam cultus* the indirect proof of the witnesses *de auditu* (those who heard) could be admitted, however always in corroboration with the circumstances; the same concession was also extended to the processes *per viam non cultus*, as long as, if without any intention of malice, the witnesses *de visu* (eyewitnesses) had not intervened; however, the miracles would have to be proved only through witnesses *de visu*. For the causes *per viam non cultus*, i.e., the ordinary process, two miracles were needed for beatification if they are proved by witnesses *de visu* and four if they are proved by witnesses *de auditu* (in ancient causes) and

[35] V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo Studium*, 212.

two for the canonization. In the cases of *per viam cultus / casus exceptus*, four miracles were required through the witnesses *de visu* for the canonization. The reasons for this intervention are to be found in a principle that the author himself expounds, namely that the human voice of direct witnesses would be compensated by the divine voice of miracles (*quod humano testimonio deerit, divino compensetur*).[36]

The Sacred Congregation for Sacred Rites and Ceremonies, with the approval of Pope Leo XIII, issued norms for the first time on 17 September 1885 regarding the nature of funds of the cause of canonization and their administration[37] and with the decree of 21 December 1893 established that in the causes of beatification and canonization only one principal postulator has to perform the role and he or she should have a fixed residence in Rome. It also stipulated under the pain of nullity (*sub poena nullitatis*) that the vice postulator should be selected by the postulator.[38] In 1913, Pope Pius X for the first time established that the title of "Venerable" can be granted to those whose virtues had already been recognized in the Congregation.

6 THE INSTITUTION OF BEATIFICATION

Until the 15th century there did not exist beatification. The *elevatio* (elevation) and *translatio* (transferral) of the mortal remains of the servant of God had the same effects. With these acts public cult was permitted to the servant of God without any limitation, even *de facto*, the cult remained generally

[36] J.L. Gutièrrez, "Le prove sussidiarie nelle cause di canonizzazione," in *Ius Ecclesiae* 5 (1993): 569.

[37] Sacred Congregation for the Rites and Ceremonies, *Norms on the Administration of the Sources for the Cause* (17 September 1885), in *Leggi della Chiesa*, ed. L. Porsi (Roma: Nova Res, 2006), 271-273.

[38] Sacred Congregation for the Rites and Ceremonies, Decree (21 December 1893), in P. Gasparri, J. Seredi (eds), *CIC Fontes*, Vol. 8 (Romae: Typis Polyglottis Vaticanis, 1929), 301, no. 6230.

limited to a region or a religious family. The beatification in the actual juridical sense, i.e., understood as a permission to show veneration to the blessed only to a particular city or region or religious family, was initiated only in 15th century. It was done by the Popes just to satisfy the demand of some community of faithful and in view of canonization. Gradually, it became an obligatory and necessary requisite. Starting from the 17th century, the beatification was an obligatory step to reach the canonization. Until now, only St Charles Borromeo was canonized in 1610 without beatification. Normally, the beatification took place in St Peter's Basilica. For the first time in history, Pope John Paul II proclaimed in Manila the beatification of fourteen martyrs of Japan in 1981. Then it slowly began to take place in the local Church. In the 17th century, the beatification was considered as something complete in itself and not necessarily a requirement for the canonization. Today, for the beatification of martyr, a miracle is not required; whereas for the other two *iter*, i.e., one who offered life and the confessor to be beatified a miracle is required.

7 CANONICAL LEGISLATIONS IN *CIC* 1917

Worthy of special mention is the legislation of Pope Urban VIII together with the later legislation by Pope Benedict XIV (*De servorum Dei beatificatione et beatorum canonizatione*) which formed the basis of the procedures for beatification and canonization found in the *CIC* 1917. Two types of beatification and canonization are distinguished by the Code 1917: formal or ordinary (*per viam non cultus*) and extraordinary or equivalent (*per viam cultus / casus aequipollens*).

The legislation in the causes of canonization is found in the fourth book *De processibus*: *pars seconda: De Causis beatificationis Servorum Dei et Canonizationis Beatorum.*

Concerned canons are from 1999 to 2141. In *CIC* 1917, two types of causes with proper procedure are highlighted:

1) Formal procedure is for the case *per viam non cultus*, in which the servant of God was not an object of public cult in the past.

i) for the *viam non cultus*, the bishop, with the proper power, instructs three ordinary processes: a) the informative process (to inform the Holy See) instructs on the fame[39] of the holiness or sanctity (*fama sanctitatis*), fame of martyrdom (*fama martyrii*), fame of the intercessory power (*fama signorum*), of the miracles of the servant of God; b) the process on the writings through the collection of all the writings of the servant of God; c) process on the non-cult to ascertain that there was no public cult of the servant of God. This process ends with the definitive sentence of the judge on the non-cult.

ii) once these elements were proven, the Holy See published the Decree of Introduction of the Cause and gave the local bishop the authority to gather evidence on the martyrdom or heroic virtues of the servant of God.

iii) the bishop with the apostolic authority, granted by the Apostolic See, instructs two apostolic process: 1) instruction on the continuation of the fame; 2) on the martyrdom or virtue.

2) Equivalent procedure (*casus aequipollens*) i.e., the case proceeding *per viam cultus*, in which the servant of God was already an object of public cult (*beatus nuncupatus*) from time immemorial (*ab immemorabili tempore*). This is also named as the case of an ancient blessed or *casus exceptus* (cann. 2125-2135). Through this procedure the Pope recognizes and

[39] Fame signifies the opinion which is diffused among a significant portion of the faithful; *Sensus fidelium* regarding the purity and integrity of the servant of God. This fame has to be authentic, widespread, not created but spontaneous.

per decretum confirms the ancient cults evolved after the Pope Alexander III (1181) and before 1534, i.e., 100 years before the Apostolic Constitution *Caelestis Hierusalem cives* (1634).[40] One of the greatest contributions of the *CIC* 1917 was the methodology that it brought to the arrangement and the structure of the existing law pertaining to canonization.[41]

8 LEGISLATIVE ACTIVITIES OF POPE PIUS XI (1922-1939)

Pope Pius XI through Moto proprio *Già da qualche tempo*[42] (6 February 1930) established a historical and hagiographic section in the same Sacred Congregation for the Rites for studying the historical cause, i.e., the causes which do not have eye witnesses. In his period, through *Normae servandae in construendis processibus Ordinariis super causis historicis*[43] (4 January 1939) the procedure for the historical causes was changed. A historical commission was constituted for the gathering of documentary proof.

9 LEGISLATIVE ACTIVITIES OF POPE PAUL VI (1963-1978)

In line with the teaching of the Second Vatican Council on subsidiarity, the Apostolic Letter *Sanctitas clarior*[44] (19 March 1969) of Pope Paul VI simplified the process by conceding to

[40] V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo Studium*, 92.

[41] J.A. Gray, *The Evolution of the Promoter of the Faith in the Causes of Beatification and Canonization: A Study of Law of 1917 and 1983* (Roma: Pontificia Universitas Lateranensis, 2015), 79; G. Dalla Torre, *Santità e diritto: Sondaggi nella storia del diritto canonico* (Torino: Giappichelli, 2009[2]), 135.

[42] Pius XI, Motu proprio *Già da qualche tempo* (6 February 1930), in *AAS* 22 (1930): 87-88.

[43] Pius XI, *Normae servandae in construendis processibus ordinariis super causis historicis* (4 January 1938), in *AAS* 31 (1939): 174-175.

[44] Paul VI, Apostolic Letter *Sanctitas clarior* (19 March 1969), in *AAS* 61 (1969): 149-153.

the bishops the right to initiate the cause of canonization after the *nihil obstat* for the introduction of the cause granted by the Congregation. Before *Sanctitas clarior*, the bishop could initiate the cause only after the Congregation studied the acts sent by the bishop and granted permission. Hence, there were two processes: 1) episcopal process (the bishop conducting the process in the local church); 2) Apostolic process (conducted at the Congregation). Only after these two processes one was declared servant of God. But through this Apostolic Letter *Sanctitas clarior* Pope Paul VI declared that even in recent causes there would be only one cognitional / informative process for gathering proofs, which bishops conducts with previous permission from the Holy See. Instead of repeating the informative process on both episcopal and Roman levels, the Pope called for the diocesan bishop to initiate the process once it received approval of the Holy See. Hence, there is only one informative / cognitional process at the diocesan level.

Later, Pope Paul VI, in the Apostolic Constitution *Sacra Rituum Congregatio*[45](8 May 1969), established two dicasteries in the place of the Sacred Congregation of Rites. To one he gave the responsibility of regulating divine worship (Congregation for Divine Worship and Discipline of Sacraments) to the other that of dealing with Causes of Saints (Congregation for the Causes of Saints).

10 LEGISLATIVE ACTIVITIES OF POPE JOHN PAUL II (1978-2005)

10.1 *Codex Iuris Canonici*

With the promulgation of *Codex Iuris Canonici* (25 January 1983), all the laws existed till then for the Causes of Saints were abrogated. The new Code treats the Causes of Saints

[45] Paul VI, Apostolic Constitution *Sacra rituum Congregatio* (8 May 1969), in *AAS* 61 (1969): 297-305.

only in one can. 1403[46] according to which the Causes of Saints are regulated by the Special Pontifical Law which was promulgated on the same day.

10.2 Apostolic Constitution *Divinus perfectionis Magister* (*DPM*)

The Special Pontifical Law was promulgated by an Apostolic Constitution *Divinus perfectionis Magister* (*DPM*) on the same day in which *CIC* was promulgated. *DPM* consists of two parts: 1) Introduction; 2) Legislative Part.

1) Introduction: It consists of 10 paragraphs further divided into 2 sections, namely a) Theological section and b) Historical section: a) the Theological section, which has 5 paragraphs, citing the document of *LG*,[47] stipulates that everyone is called to holiness through baptism and the holiness of some has already been canonized in the Church and those who can be canonized. The Church, being always faithful to her duties of teaching, sanctifying and governing the people of God, proposed to the faithful for their imitation, veneration and invocation men and women who are outstanding in the splendour of charity and other evangelical virtues and after due investigations, she declares them, in the solemn act of canonization to be saints; b) the Historical section enumerates the evolution of the legislation which we have briefly analyzed earlier.[48] Then the final phrase which is the ultimate paragraph in the introduction part introduces the legislative part.

[46] Can. 1403 §1: Special pontifical law governs the causes of canonization of the servants of God.

§2. The prescripts of this Code, however, apply to these causes whenever the special pontifical law refers to the universal law, or norms are involved which also affect these causes by the very nature of the matter.

[47] Vatican II, Dogmatic Constitution on the Church *Lumen Gentium*, no. 40.

[48] To have a glance at the evolution cf. V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo Studium*, 526-527.

2) Legislative Part: It is divided into 3 sections with 17 norms, highlighting the dual phases of the process of canonization: Diocesan phase and Roman phase. The first section (nos.1-2), titled as "The investigation entrusted to the bishops," speaks of the investigation entrusted to the bishops. No. 1 addresses the question of who has the right to initiate the cause. The bishops or eparchies or those who are equivalent in law have the right to investigate. Here, it is to be noted that it is no more the Holy See that initiates the cause as mentioned in *CIC* 1917, with the decree of the introduction of the cause; nor the bishop after the *nihil obstat ad Causam introducendam ad normam legis Sanctitas clarior* of 1969. No. 2 outlines how the procedure is to be followed by the bishop in the diocesan phase. No. 2 is subdivided into 6 articles which highlights the four phases of the investigation: 1) The initial phase; 2) The phase of gathering of the documentary proof; 3) The phase of gathering eye witnesses and 4) The final phase which speaks of the closure of the investigation and sending two copies of the instruction to the Congregation for the Causes of Saints.

The second section of the legislative part (nos. 3-12) of *DPM*, titled as "The Sacred Congregation of the Causes of Saints," delves into the structures of the same Congregation and presents the various roles of the secretary, single and general relator, promoter of faith etc.

The third section (nos. 13-17), titled as "The mode of procedure in the Sacred Congregation," explains how the same Congregation proceeds when the acts of the case after the instruction at the diocesan phase is sent to Rome.

10.3 *Normae servandae in Inquisitionibus ab Episcopis faciendis in Causis Sanctorum* (*NS*)[49]

In compliance with section 1 and no.2 of the Apostolic Constitution *DPM*, *Normae servandae in Inquisitionibus ab Episcopis faciendis in Causis Sanctorum* (*NS*) was published by the Congregation for the Causes of Saints on 7 February 1983. This Apostolic Constitution contains 36 norms which very clearly establish the procedure for the instruction of the diocesan or eparchial phase on the martyrdom, heroic virtues and miracles.

10.4 *Norme sull'amministrazione dei beni di una causa di canonizzazione*

In compliance with no. 3c[50] of the *NS*, *Normes ull'amministrazione dei beni di una Causa di canonizzazione* (Norms on the administration of the goods of a cause of canonization) (20 August 1983) was promulgated.

10.5 *Pastor bonus* (*PB*)

Pastor bonus[51](28 June 1988) also brought out several important changes pertaining to canonization. First of all, the

[49] John Paul II, *Normae servandae in inquisitionibus ab episcopis faciendis in causis sanctorum* (7 February 1983), in *AAS* 75 (1983): 396-403. It was originally published only in Latin and later Italian translation was prepared by the same Congregation and was published in 1995 in *Novae Leges pro Causus SanctorumA. D. 1983 promulgatae*. The text in Italian Language can be found in *Le Cause dei Santi: Sussidio per lo Studium*, eds. V. Criscuolo, C. Pellegrino, R.J. Sarno, 532-540. In English, the document is known as 'Norms to be observed in inquiries made by Bishops in the Causes of Saints.'

[50] John Paul II, *Normae servandae in inquisitionibus ab episcopis faciendis in causis sanctorum* (7 February 1983), no. 3c: "The postulator is also entrusted with the duty of administrating those funds offered for the cause according to the norms issued by the Sacred Congregation." However, this was later abrogated by Pope Francis on 4 March 2016 by the norms *ad experimentum* for three years (Refer footnote no. 58).

[51] John Paul II, Apostolic Constitution *Pastor bonus* (28 June 1988), in *AAS* 80 (1988): 841-930; English trans. in *Code of Canon Law Annotated*, eds. E. Caparros *et alii* (Montréal: Wilson & Lafleur Limitée, 1993), 1166-1279.

name of the Congregation itself was changed. Till then the Congregation had the name *Congregatio pro causis sanctorum* which means Congregation *for* the Causes of Saints. But *Pastor bonus* made a deliberate change in the name and it named it as *Congregatio de causis sanctorum* which means Congregation *of* Causes of Saints or in a wide sense Congregation *regarding* or *concerning* or *about* the Causes of Saints. This change in the proposition from "*pro*" (for) to "*de*" (of, regarding, concerning, about) is deliberately carried out in order to explain that this Congregation in itself is not there *for* propagating the idea of canonizing any servant of God as soon as the cause is initiated by the bishop. The proposition "*pro*" (for) could be wrongly understood as if the Congregation is created in order to just canonize the people or the Congregation in itself searches for the cases for the canonization. It would lead to a wrong understanding as if the Congregation is there just to volunteer itself to canonize the people. The preposition "for" might also appear to imply that all the cases which are sent to the same Congregation will end up in canonization as if that is the only duty of the Congregation. Therefore, in order to change the shift of the wrongly understood focus of the Congregation, it was changed into "*de*" (of, regarding, concerning, about), i.e., the Congregation of the Causes of Saints, to put in other words the Congregation that concerns the Causes of Saints. Secondly, *PB* states that the Congregation has the duty of studying everything that leads to the canonization of the servants of God (*PB* art. 71) and assisting the bishops in the instruction of the cause and studying all that is sent to the Congregation by the bishops for the judgement of the supreme pontiff (*PB* art. 72). Another major important newness brought out by the *PB* is the title "Doctor of the Universal Church" accorded to the saints by the universal Church. The same Congregation ought to examine the concession of this above-mentioned title after the opinion of the Congregation

for the doctrine of faith on *eminens doctrina*[52] of the saint (*PB* art. 73). Moreover, this Congregation has the competence to decide everything pertaining to the authentication of holy relics and their preservation (*PB* art. 74).

10.6 *Codex Canonum Ecclesiarum Orientalium* (*CCEO*)

The Code of Canons of the Eastern Churches (*CCEO*), promulgated on 18 October 1990, like *CIC* 1983, enshrines only one canon which highlights the causes of canonization. Can. 1057 prescribes, "In the causes for the canonization of the servants of God, the special norms established by the Roman Pontiff are to be observed." Therefore, as in the *CIC* 1983, Causes for the Canonization are treated in rather specialized processes and are relegated to a distinct body of norms (*DPM, NS, SM, Maiorem hac dilectionem*). It explicitly remits itself to the procedural norms found in the Eastern Code pertaining to the manner of proceeding in collecting documentary proof (in an ancient cause) and especially in examining witnesses (in a more recent cause).[53]

11 LEGISLATIVE ACTIVITY OF POPE BENEDICT XVI (2005-2013) - *SANCTORUM MATER* (*SM*)

Pope Benedict XVI has also contributed to the development of the procedure for the canonization of the Causes of Saints. Notable contribution is the publication of the Instruction

[52] This idea of "eminent teaching" or "eminent doctrine" (*eminens doctrina*) implies that someone's teaching stands out as particularly important or having a great impact on the life of the Church. There is no requirement as to the number of works, but there is a requirement as to the quality of the work, the outstanding nature of the work. While anyone from the faithful to bishops, can recommend a person to be a Doctor of the Church, it is the Congregation of the Causes of Saints that presents possible cases to the Holy Father. This is done only after the Congregation of the Doctrine of Faith has verified the truth, theological basis and transcendent nature of the already canonized saint's works.

[53] J.D. Faris, J. Abbass (eds), *A Practical Commentary to the Code of Canons of the Eastern Churches*, Vol. II (Montréal: Wilson & Lafleur inc., 2019), 1995.

Sanctorum Mater (*SM*)[54] (17 May 2007). This is an Instruction for conducting diocesan or eparchial inquiries in the Causes of Saints. After the promulgation of the Apostolic Constitution (*DPM*) and *Normae servandae* (*NS*), the Congregation of the Causes of Saints, in the light of the experience, thereafter, published the Instruction *Sanctorum Mater* (*SM*) in order to facilitate an intimate and effective collaboration between the Holy See and the bishops in the Causes of Saints. The Instruction also provides greater clarity on the role and duties of the postulator, stating that he or she should be an expert in theology, canon law and history, as well as understanding the work and the dynamism of the Congregation of the Causes of Saints.

The juridical value of the Instruction *Sanctorum Mater* does not have a normative value; rather it contains the application of the new laws for the Causes of Saints. It could be viewed as a type of *vademecum*, (step-by-step guide) to conduct the diocesan phase enquiry in the Causes of Saints. It intends to clarify the dispositions of the *Normae servandae* in the Causes of Saints, in order to facilitate their applications and indicate the modes of their execution.[55] Therefore, the Instruction *Sanctorum Mater* merely facilitates the application of the *Normae servandae* which contains the special norms to be observed in the diocesan or eparchial instruction of the

[54] Congregation of the Causes of Saints, Instruction for Conducting Diocesan or Eparchial Enquiry in the Causes of Saints, *Sanctorum Mater* (17 May 2007), 465-510.

[55] Can. 34 §1 of *CIC* 1983: Instructions clarify the prescripts of laws and elaborate on and determine the methods to be observed in fulfilling them. They are given for the use of those whose duty it is to see that laws are executed and oblige them in the execution of the laws. Those who possess executive power legitimately issue such instructions within the limits of their competence.

§2. The ordinances of instructions do not derogate from laws. If these ordinances cannot be reconciled with the prescripts of laws, they lack all force.

§3. Instructions cease to have force not only by explicit or implicit revocation of the competent authority who issued them or of the superior of that authority but also by the cessation of the law for whose clarification or execution they were given.

causes of beatification or canonization. This Instruction is of paramount importance for anyone who is involved in the diocesan phase of the Cause of Saint. This prescribes the *iter* (way/procedure) of the diocesan phase in a very detailed and clear manner.

The structure of the *Sanctorum Mater* is neatly divided into 6 parts: 1) Causes of beatification and canonization; 2) Preliminary phase of the cause; 3) Instruction of the cause; 4) Gathering of documentary proofs; 5) Gathering of proofs from witnesses; and 6) Closing of the inquiry.

The appendix[56] of the Instruction *Sanctorum Mater* speaks of the Canonical Recognition of mortal remains of a servant of God. However, it is abrogated by the recent document published on 8 December 2017.[57]

12 LEGISLATIVE ACTIVITIES OF POPE FRANCIS (2013 -)

12.1 On the Inquiry into Miracle

There is a noteworthy authentic interpretation given by the Pontifical Council for the Legislative Text on 3 June 2014.[58] This concerns the juridical value to be attributed to the documents of modern technology (celluloid, magnetic or electronic) in ascertaining the miracle during the process: "in the probatory stage of the instruction in a cause for canonization both in the diocesan and also in the Roman phase, documents on a celluloid, magnetic or electronic support can be admitted, provided they have been included

[56] Congregation of the Causes of Saints, Instruction for Conducting Diocesan or Eparchial Enquiry in the Causes of Saints, *Sanctorum Mater* (17 May 2007), 507-510.

[57] Refer footnote no. 65.

[58] R.J. Sarno, *Studium delle cause dei Santi* (Class notes) (Vatican: Congregation of the Causes of Saints, 2019), 12.

in the procedural documents after the judge has ascertained their usefulness, reliability and absence of manipulation." In particular, if not exclusive, this norm is applied to the investigation into the miracle, in which a clinical-medical examination, e.g. magnetic resonance imaging (MRI Scan), computerized tomography (CT Scan), ultrasound scan, X-ray, and platelets etc. are presented as documentary evidence.[59]

12.2 Norms on the Administration of Goods of the Cause of Beatification or Canonization

The norms on the administration of goods of the Cause of the beatification and canonization of 4 March 2016[60] are of paramount importance. They were promulgated for three years on experimental basis (*ad experimentum*) starting from the date of promulgation. (However, though three years are over, the new norms are still in preparation). Therefore, the old norms promulgated by Pope John Paul II on 20 August 1983 are abrogated. According to these norms of 4 March 2016, the postulator can no longer handle the administration of the funds of the cause of beatification or canonization. It insisted upon the need of appointing an administrator for the administration of the funds involved in the causes of beatification or canonization.

12.3 Apostolic Letter *Maiorem hac dilectionem*

The Apostolic Letter *Maiorem hac dilectionem*[61] (Greater love than this), issued in the form of a *motu proprio* of Pope Francis, dated 11 July 2017 is very important and immensely significant in the canonization process. Catholic legal and doctrinal tradition defined two main *iter* for the Causes of

[59] *Ibid.*

[60] Francis, *Norms on the Administration of Goods of Causes of Beatification and Canonization* (4 March 2016), in *AAS* 108 (2016): 495-499.

[61] Francis, Apostolic Letter *Maiorem hac dilectionem* (11 July 2017), 831-834.

Saints. Until very recently, sainthood was related either 1) to martyrdom or 2) to the heroic practice of virtues, ascertained through a well-defined judicial procedure. In 2017, Pope Francis renewed these two ancient traditions by introducing a third *iter*, consisting in the "offering of life" (*oblatio vitae*), namely the sacrifice of one's life in the name of charity, intended as Christian love for the others.

The Apostolic Letter *Maiorem hac dilectionem* creates a new path towards sainthood under the canonization procedures of the Roman Catholic Church, through the path of *oblatio vitae*. This document establishes for the first time in the history of the Church the offering of life (*oblatio vitae*) as a new *facti species* for procedural *iter* of beatification or canonization, distinct from the cases based on martyrdom and heroic practices of virtues. The very introduction to this document synthesizes in the following words, "No one has greater love than this, to lay down one's life for one's friends" (John 15:13). Pope Francis has, therefore, introduced a new *iter* to Catholic sainthood, recognizing those who sacrifice their lives for others.[62]

Worthy of special consideration and honour are those Christians who, following more closely the footsteps and teachings of the Lord Jesus, have voluntarily and freely offered their life for others and persevered with this determination unto death. Certainly, the heroic offering of life, inspired and sustained by charity, expresses a true, complete and exemplary imitation of Christ, and thus is deserving of that admiration that the community of faithful customarily reserves to those who have voluntarily accepted the martyrdom of blood or have exercised Christian virtues to a heroic degree.[63] This new

[62] *Ibid.*

[63] *Ibid.*, 831: Sono degni di speciale considerazione ed onore quei cristiani che, seguendo più da vicino le orme e gli insegnamenti del Signore Gesù, hanno offerto volontariamente e liberamente la vita per gli altri ed hanno perseverato fino alla morte in questo proposito. È certo che l'eroica offerta della vita, suggerita e sostenuta dalla carità, esprime una vera, piena ed esemplare imitazione di Cristo e, pertanto, è meritevole di quella ammirazione che la comunità dei fedeli è solita riservare a coloro che volontariamente hanno accettato il martirio di sangue o hanno esercitato in grado eroico le virtù cristiane.

iter in the canonization process is to promote heroic Christian testimony, (that has been) up to now without a specific process, precisely because it did not completely fit within the case of martyrdom or heroic practices of virtues.

The new category has five main criteria as very well explained in art. 2 of the document *Maiorem hac dilectionem.*

1. The individual must freely and voluntarily offer their life and heroic acceptance *propter caritatem* of 'a certain and soon-to-come death';
2. There must be a 'close relation' between 'the offering of one's life and the premature death of the one who offers it';
3. The person must show Christian virtues, at least to an ordinary extent, before offering their life and then until the death;
4. They must have a 'reputation for holiness and intercession' at least after their death;
5. They must have performed a miracle in order to be beatified. This is a major difference from the 'martyrdom' category, which does not require a miracle for the beatification.

12.3.1 Similarities and Dissimilarities among the three *Iter*

As is discussed in the previous pages, one can be beatified and canonized by way of three *iter*: 1) martyrdom; 2) heroic practices of virtues and 3) the offering of life. These are different from one another though there are a very few similarities.

The differences between martyrdom and offering of life are the following. In the martyrdom, *odium fidei* is the cause, i.e., there is a violent death inflicted on a believer due to the *odium fidei* of a persecutor. In the offering of life, *propter caritatem*, freely and voluntarily one accepts in a heroic manner a certain death which is to take place in a very short period of time. There is no *odium fidei* of the persecutor in the offering of life. The similarity between martyrdom and offering of life is the heroic sacrifice of oneself.[64]

The similarity between heroic practices of virtues and offering of life is the existence of heroic act of charity, i.e., sacrifice of oneself. The difference between heroic practices of virtues and offering of life is that in the heroic practices of virtues there is an expression of prolonged exercise of virtues in life; all through his or her life he or she has been practicing virtues in a heroic manner. Whereas in the offering of life, one practices virtues but there is no prolonged expression of exercise/practice of virtues. The servant of God here offers life knowing that the death is certain in a short period of time.[65]

12.4 Instruction *Reliquiae in Ecclesia: fides et conservatio*

The saints are venerated in the Church and according to tradition and their authentic relics and pictures are held in honor.[66] Relics have tremendous significance and play a vital role in the faith and devotion of the people. This Instruction, *Reliquiae in Ecclesia: fides et conservatio*[67] (The Relics in the Church: Authenticity and Conservation), published

[64] V. Criscuolo, C. Pellegrino, R.J. Sarno (eds), *Le Cause dei Santi: Sussidio per lo Studium*, 92.

[65] *Ibid.*

[66] Vatican II, Constitution on the Sacred Liturgy *Sacro sanctum Concilium*, no. 111.

[67] Francis, Instruction *Reliquiae in Ecclesia: fides et conservatio* (8 December 2017), *AAS* 110 (2018): 119-129.

on 8 December 2017, enshrines the canonical procedure to be followed for the following motives: a) to verify the authenticity of the relics and mortal remains, b) to guarantee their conservation; c) to promote the veneration of the relics through the possible specific operations such as canonical recognition, removal of fragments and packaging of relics, *translatio* of the urn and alienation of the relics. It also sets out what is necessary to obtain the consent of the Congregation of the Causes of Saints to carry out these operations and the procedure to be followed for the pilgrimage of the relics.[68]

13 CONCLUSION

Today the process of canonization proceeds in three phases: 1) It begins with the institution of a diocesan inquiry, which consists of a series of investigations initiated by a competent diocesan bishop who wishes to raise a cause of canonization. This inquiry has as its goal the collection of information concerning the life, heroic virtue, reputation of sanctity or martyrdom of the servant of God, as well as proof of any possible miracles; 2) After the information has been collected, it is sent to the Congregation of the Causes of Saints, presided over by a cardinal prefect, which conducts a study of the case, concluding with the preparation of the *positio*.[69] 3) The Congregation of the Causes of Saints discusses and passes judgment on the merits of the cause leading, always with the approval of the pope, to beatification or canonization.

Saints, those men and women who have gone before us, outstandingly marked by the sign of faith and recognized as

[68] *Ibid.*, 127-129.

[69] *Positio* refers to the 'position paper' or 'comprehensive summary of the documentation' that proves the cause of the process. This *positio* is based on the martyrdom (*positio super martyrio*) or the heroic virtues (*positio super virtutibus*) or the offering of life (*positio super oblatio vitae*). The postulator, who is placed in Rome, follows the preparation of the *positio*, always supervised by the Congregation of the Causes of Saints.

martyrs or people of heroic virtue, stand as models for people of faith today. The unraveling of this perceived mysterious process, by examination of its historical development along with canonical legislations, can bring greater appreciation to those who have been so recognized as saints, validity to the whole process, and greater understanding to the Catholic Church, in which the process is conducted. Solving the puzzle of the canonization process and bringing someone to greater appreciation of this procedure benefits people of faith, both now and will do so in the future.

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PRESIDER'S THEOCENTRIC SELF-TRANSCENDENCE IN THE EUCHARIST

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1 INTRODUCTION

In order to create an ideal atmosphere for a meaningful celebration we need to reiterate the fact that the worshipping assembly is not merely a social gathering, though the social dimension is not excluded from it. The preoccupation to relate the mystery to the life of the people should not lead to an overemphasis on social life at the expense of the divine reality. The central point of any liturgical act is the divine which is not fully accessible to human mind. The inexpressible divine mystery, celebrated with visible human signs and symbols, must be made 'close' to the community in the worshipping act. To attain this, serious attention has to be paid by the president. His words and actions should evoke a sense of the sacred. It needs to evoke a numinous atmosphere wherein the aspirations of human beings find their rightful place.[1]

An active participation in the liturgy is indispensable to make it fruitful. One of the fundamental duties of the president of the liturgical assembly is to help the faithful to attain this goal. Unless the liturgical celebrations help people to be better human beings who build up genuine communities in ecclesial as well as social life, liturgical celebrations would

[1]Antony Nariculam, *Church and Liturgy* (Aluva: St. Thomas Academy for Research, 2014), 183-184.